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C O N F I D E N T I A L SECTION 01 OF 03 VIENTIANE 000780

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SUBJECT: PRIME MINISTER RAISES CONCERNS ON HMONG WAIVER
DURING AMBASSADOR'S INTRODUCTORY CALL

REF: VIENTIANE 720

Classified By: AMBASSADOR RAVIC HUSO. REASON: 1.4 B AND D.

Summary

¶1. (C) During the Ambassador's introductory call on Prime Minister Bouasone Bouphavanh, both the Ambassador and the Prime Minister expressed satisfaction with recent improvements in bilateral cooperation. The Prime Minister pressed for the lifting of restrictions on U.S. Export-Import Bank operations and raised concern that the U.S. was contemplating action to revise Patriot Act provisions that applied to acts of terrorism against the Lao government. The Ambassador clarified that the U.S. Administration and Congress were concerned that provisions of both the Patriot Act and Real ID Act had resulted in unintended negative consequences for members of certain ethnic groups, including the Hmong, who may otherwise be eligible to become U.S. citizens. He stressed that any action by the U.S. government would apply only to ethnic Hmong who had provided material support to the commission of acts of terrorism, not to people who had committed such acts themselves. He assured the Prime Minister that he would keep the GOL informed about any waiver and that the USG would clarify publicly that any actions we might take were not a reflection of how the U.S. viewed its overall relationship with the GOL. The Prime Minister said that many people in Laos have been following recent developments and "wondering which direction your country will be moving in." He said that he hoped that the USG's actions would reaffirm the policy the Ambassador had described. The Ambassador urged the Prime Minister to encourage other ASEAN leaders to attend the proposed U.S.-ASEAN meeting to be hosted by President Bush in Texas. The Prime Minister said that he personally feels that this meeting is important and hopes that other ASEAN leaders will agree. End summary.

¶2. (U) The Ambassador, accompanied by the DCM, paid an introductory call on Prime Minister Bouasone Bouphavanh on October 17. Like the Ambassador's introductory meeting with President Choummaly Sayasone (Reftel), the meeting was unusually long, lasting almost an hour. The Prime Minister spoke in Lao, using an interpreter.

Bilateral Cooperation

¶3. (SBU) Prime Minister Bouasone began by expressing satisfaction with the improvement in U.S.-Lao relations in recent years. The Ambassador's "extensive experience and knowledge," he said, will continue to "elevate relations up to a higher plane." Ambassador Huso said that he was pleased to be arriving in Laos at a time when the country is moving forward rapidly in a number of areas, including economic growth and international engagement. There is an opportunity, he said, to expand U.S.-Lao cooperation beyond the traditional areas of accounting for U.S. personnel

missing in action, removal of unexploded ordnance and counternarcotics.

¶ 14. (SBU) The Prime Minister agreed that there has been significant progress in these areas of cooperation. However, he noted U.S. assistance is decreasing. He reaffirmed Lao support for the fight against terrorism. The GOL, he said, also appreciates assistance in disaster management, including combating avian influenza. Referring to humanitarian projects that are part of the POW/MIA accounting program, he said that the Lao government was grateful to receive this assistance.

¶ 15. (SBU) The Ambassador expressed the appreciation of the U.S. government and people for Lao support to efforts to account for U.S. soldiers missing in Laos. He expressed continued commitment to assisting Laos's counternarcotics efforts, particularly the fight against methamphetamines, use of which has risen even as opium is being eradicated. These efforts include anti-drug education, treatment programs, and sharing information to more effectively stop people who are dealing drugs. Noting that the Prime Minister had mentioned the importance of disaster management, the Ambassador said that, in addition to USAID and the Centers for Disease Control (CDC), the U.S. military can play an important role. The Ambassador said that he would like to develop a dialogue between the U.S. Pacific Command, which has a number of experts on disaster preparedness, and the Lao military in order to enhance disaster preparedness.

Exim and WTO

¶ 16. (SBU) The Prime Minister said that he hoped that the
VIENTIANE 00000780 002 OF 003

U.S. would lift the provision that prevents U.S. companies from accessing financing from the U.S. Export-Import Bank (Exim) for sales to Laos. He noted that the two countries already have a Bilateral Trade Agreement. In addition, he said he hoped that the Ambassador would be able to encourage the private sector to invest in Laos. The Ambassador said that he would follow up with officials in Washington on Exim restrictions. The Prime Minister said that Exim is a "very important, central issue." Granting Exim financing will, he said, allow Normal Trade Relations to be fully implemented. Regarding WTO, the Prime Minister said that the GOL has tried to put in place the necessary conditions to get the support of the USG.

Hmong Waiver

¶ 17. (SBU) The Prime Minister said that he had heard that the Patriot Act would be revised. (Note: He was referring to reports that the U.S. government plans to issue a waiver that would exempt certain ethnic Hmong from a provision in the Immigration and Nationality Act (INA), added through passage of the Patriot Act, denying immigration rights to people who had provided material support to terrorist organizations. In the case of the Hmong, this relates to people who assisted Hmong resistance groups that continued to operate after the communist takeover in 1975. End note.) "Groups of people are trying to interrupt relations between our two countries," he said. He said that the U.S. government, in arresting Vang Pao, had reconfirmed its strong determination to act against terrorist threats around the world. (Note: Vang Pao, who led anti-Communist Hmong forces during the Vietnam War, was arrested in California on June 4. End note.) By maintaining the Patriot Act's prohibitions, he said, the U.S. government will confirm its commitment to act against people who commit acts of this type.

¶ 18. (SBU) The Ambassador said that the United States has a strong and clear policy of not supporting any activities aimed at destabilizing the Lao government through violence.

He noted that people in the U.S. are free to express strong criticism against a foreign government. However, "if someone takes action (in violation of the law), we will react." He clarified that there was no effort underway to amend the Patriot Act and explained the details of the actual situation. He emphasized that any waivers or similar measures would not apply to anyone who had committed act(s) of violence against the Lao government. The Ambassador said that, if a waiver was signed, the U.S. government would do two things: first, "make sure that you and your government understand what we're doing and why," and second make sure that the public understands that this has nothing to do with the USG's good relationship with Laos.

¶9. (SBU) The Prime Minister thanked the Ambassador for this clarification, commenting that the U.S. carries out its anti-terrorism policy not only through the Patriot Act but also through the actions it takes, including the arrest of Vang Pao. He said that many people in Laos have been following recent developments and "wondering which direction your country will be moving in." He said that he hoped that the USG's actions would reaffirm the policy the Ambassador had described.

ASEAN/Burma

¶10. (C) The Ambassador told the Prime Minister that President Bush regretted that he was unable to meet with ASEAN leaders in Singapore. He noted that the President had invited ASEAN leaders to join him at a meeting in Texas next year. The Prime Minister said that he was sure that issue would be a subject of discussion at the ASEAN summit and he would consult with fellow leaders there. The Ambassador urged the Prime Minister to encourage his fellow ASEAN leaders to go to the Texas meeting. The Prime Minister replied that he personally feels that the ASEAN-U.S. summit is of great importance and he hopes other leaders share his view.

¶11. (C) The Ambassador thanked the Prime Minister for the GOL's effective work to try to encourage a constructive dialogue with Burma.

Comment

¶12. (C) The Prime Minister, like the other officials the Ambassador has met with since his arrival, emphasized positive developments in U.S.-Lao relations in recent years. However, the amount of time he spent discussing the Hmong waiver issue illustrates how concerned the Lao government is

VIENTIANE 00000780 003 OF 003

about this. His comment about how many people are "wondering which direction your country will be moving in" reflects lingering fears among senior Lao officials, notwithstanding the Vang Pao arrest, that the USG condones the Hmong insurgency. This illustrates the importance of allowing time before the public announcement of a waiver for discussions with the Lao government in Vientiane and in Washington.

¶13. (C) Access to Exim financing, like the Hmong waiver, holds symbolic importance for Lao officials. They appear to have made this issue into a test of the U.S. commitment to completing the process of normalizing relations. Granting access to Exim would send a positive signal at an important juncture in the relationship.
HUSO